

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILLINOIS UNION INSURANCE COMPANY,

Plaintiff,

-V-

BARUCH SINGER *et al.*,

Defendants.

21 Civ. 1170 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On November 18, 2024, the Court held a telephonic conference at which it set a briefing schedule regarding Plaintiff Illinois Union Insurance Company’s (“IUI”) motion for partial summary judgment. IUI filed that motion on December 31, 2024, and Defendants have not opposed the motion by their deadline to do so.

On or before May 30, 2025, IUIC shall submit a supplemental letter brief or no more than five pages addressing the following issues:

1. Whether IUIC's causes of action for common law indemnification and subrogation (Second and Third Causes of Action) are duplicative of its cause of action for contractual indemnification (First Cause of Action), and whether, in the event that IUIC prevails on its contractual indemnification claim, it still wishes to assert its claims for common law indemnification and subrogation.
2. Whether IUIC has provided sufficient evidence to enable the Court to determine whether its request for expenses in the amount of \$391,490.51 is reasonable and, if not, whether IUIC requests the opportunity to present additional information in support of that request.

See Star Ins. Co. v. A&J Constr. of N.Y., Inc., No. 15 Civ. 8798 (CS), 2017 WL 6568061,

at *7 (S.D.N.Y. Dec. 22, 2017).

In addition, on or before May 23, 2025, Defendants shall file a letter with the Court stating whether they intend to file an opposition to IUIC's motion for summary judgment and, if so, whether good cause exists to excuse their failure to do so by the previous deadline. The Court cautions Defendants that the failure to file an opposition will result in the Court treating IUIC's motion as unopposed, meaning that the Court will determine whether IUIC is entitled to summary judgment without the benefit of opposing papers.

SO ORDERED.

Dated: May 15, 2025
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN
United States District Judge